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In re Application of
Vernal J. Comeaux *et al* : DECISION ON PETITION
Application No. 10/767,797 :
Filed: January 29, 2004 :
Attorney Docket No. 10303-62177 :
:

This is a decision on the petition to make special filed on January 29, 2004. The petition is based upon the practice described in MPEP § 708.02(IV) "Applicant's Age" and on the practice set forth in MPEP §§ 708.02(v) "Environmental Quality" and 708.02(VI) "Energy." Because the petition based upon age appears to be grantable, rendering the other grounds asserted moot, no petition fee is required.

The petition is granted.

The petition to make special based upon the practice in the above mentioned MPEP section is deemed to satisfy all of the requirements thereof. Specifically, the application contains a statement that co-inventor Vernal J. Comeaux is age 69.

Accordingly, the examiner will treat this application as special throughout its prosecution. Prior to the first action on the merits, the examiner will conduct a rigorous search for potentially interfering applications. The interference search will be brought up to date prior to each successive action.

The Supervisory Patent Examiner of Patent Examining Art Unit 3743 is being informed of this decision, and will advise the examiner to take future action consistent therewith.

PETITION GRANTED.


Stephen Marcus, Special Program Examiner
Technology Center 3700